

UNITED STATES DISTRICT COURT

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED

for the

Western District of Virginia

APR 11 2008

United States of America

v.

Stacey Cornelius Harris

JOHN F. CORCORAN, CLERK  
BY: H. McDonald  
DEPUTY CLERK

Case No: 4:07CR00011-002

USM No: 13113-084

Date of Previous Judgment: 3/5/08

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_ Amended Offense Level: \_\_\_\_\_  
Criminal History Category: \_\_\_\_\_ Criminal History Category: \_\_\_\_\_  
Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):

**III. ADDITIONAL COMMENTS**

Defendant is not eligible for a reduced sentence because he was already sentenced to the statutory minimum. Also, Defendant was sentenced after the effective date of Amendment 706, and therefore received the full benefit of the amended guideline in the determination of his base offense level.

Except as provided above, all provisions of the judgment dated 3/5/08 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 4-11-08

Jackson Kiser  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Jackson Kiser, Senior United States District Judge  
Printed name and title